

**AGENDA MEMO**

**CITY COUNCIL MEETING OF: OCTOBER 21, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: GPA-34792 - APPLICANT/OWNER: GEORGE T. LOPEZ**

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**\*\* CONDITIONS \*\***

Staff recommends DENIAL. The Planning Commission (5-1/se vote) recommends APPROVAL.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a General Plan Amendment from MXU (Mixed Use) to LI/R (Light Industry/Research) on 0.97 acres at 2222 West Bonanza Road. The site contains office and warehouse buildings, and was previously approved for a Building and Landscape Material/Lumber Yard via a Special Use Permit (SUP-9215). The subject site is currently being used for a Contractor's Plant, Shop and Storage Yard, which is too intense for the existing General Plan designation, and is not a permitted use within the existing C-1 (Limited Commercial) zoning district. Approval of this request, along with associated applications for a Rezoning (ZON-34793) and a Site Development Plan Review (SDR-34794), are necessary for the current use of the site to continue. Staff is recommending denial of this request and the associated applications, as the intensity of the proposed General Plan designation is not compatible with the existing surrounding land use designations.

**ISSUES**

- The current use of the subject site is too intense for the existing General Plan designation, and is not permitted by the existing zoning district.
- The proposed General Plan designation is not compatible with the surrounding adjacent land uses, nor are the zoning districts allowed by the proposed General Plan designation compatible with the existing surrounding zoning districts.
- The proposal is not consistent with the goal of the West Las Vegas Plan to provide buffering between residential uses adjacent to the north of the subject site and more intense commercial and industrial uses.
- For the current use of the site as a Contractor's Plant, Shop and Storage Yard to continue, this General Plan Amendment, along with the associated requests for a Rezoning (ZON-34793) and a Site Development Plan Review (SDR-34794), must be approved.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc. and Property Sales</i></b>	
06/06/90	The City Council approved a Rezoning (Z-0048-90) of the subject property from R-E (Residence Estates) and R-1 (Single-Family Residential) to C-1 (Limited Commercial) at 2222 West Bonanza Road. The Planning Commission recommended approval of the request.
09/05/01	The City Council approved a request to Amend a portion of the Southeast Sector Plan (GPA-0022-01) from LI/R (Light Industry/Research) to ML (Medium Low Density Residential) on 34.45 acres on the northwest corner of the intersection of Washington Avenue and Robin Street. The Planning Commission recommended denial.

07/01/04	A deed was recorded for change of ownership.
11/16/05	The City Council approved a request for a Special Use Permit (SUP-9215) for an existing Building and Landscape Material/Lumber Yard at 2222 West Bonanza Road. The Planning Commission recommended approval.
05/17/06	The City Council approved a request to change the Future Land Use designation (GPA-9219) to Commercial, Mixed Use, Industrial, or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission recommended approval.
07/25/07	A Code Enforcement case (#56093) was processed for the storage of heavy industrial equipment on property at 2222 West Bonanza Road. The case was closed by Code Enforcement on 07/28/07.
01/03/08	A Code Enforcement case (#60970) was processed for the business not having a continuous license; storing of business equipment including freeway signs, etc.; and has barbed wire going around part of the property at 2222 West Bonanza Road. The case was closed by Code Enforcement on 01/05/08.
02/04/09	The City Council approved a Required Review (RQR-30402) for a Required One Year Review of an existing building and landscape material/lumber yard at 2222 West Bonanza Road.
03/31/09	A Code Enforcement case (#76313) was processed because the business is not complying with conditions of the use; including outside storage, parking spaces and barb wire at 2222 West Bonanza Road. The case was closed by Code Enforcement on 04/02/09.
09/24/09	<a href="#">The Planning Commission recommended approval of companion item ZON-34793 and SDR-34794 concurrently with this application.</a>  <a href="#">The Planning Commission voted 5-1/se to recommend APPROVAL (PC Agenda Item #6/jb).</a>

<b><i>Related Building Permits/Business Licenses</i></b>	
11/21/88	A building permit (#88008199) was issued for an interior remodel at 2222 West Bonanza Road. The permit was expired on 05/21/89.
12/05/88	A building permit (#88008663) was issued for a wall at 2222 West Bonanza Road. The permit was expired on 06/05/89.
02/11/89	A building permit (#89035450) was issued for a detached structure/garage at 2222 West Bonanza Road. The permit was expired on 12/27/90.
06/05/89	A building permit (#89027461) was issued for masonry work per CLV design at 2222 West Bonanza Road. The permit was expired on 05/16/90.
07/10/91	A building permit (#91112842) was issued for paving at 2222 West Bonanza Road. The permit was expired on 01/10/92.
05/19/95	A building permit (#95377361) was issued for a patio at 2222 West Bonanza Road. The permit was finalized on 08/10/95.
02/14/05	A business license (C11-07803) was issued for a Contractor at 2222 West Bonanza Road. The license is still active.

<b><i>Pre-Application Meeting</i></b>	
05/27/09	<p>A pre-application meeting with the applicant was held where elements of submitting a General Plan Amendment were discussed. Topics included:</p> <ul style="list-style-type: none"> <li>• Previous City Actions involving the subject property</li> <li>• Parking requirements and storage located on the subject lot</li> <li>• Title 19 Zoning Code requirements for a Contractor's Plant, Shop and Storage Yard use.</li> <li>• Application Materials and Documents</li> <li>• Meeting Dates and Deadlines</li> <li>• Submittal requirements for a Rezone and Site Development Plan Review were discussed.</li> </ul>
<b><i>Neighborhood Meeting</i></b>	
06/30/09	<p>A neighborhood meeting was held on Tuesday, June 30th at 5:30 PM at 2222 West Bonanza Road, Las Vegas. Two members from the applicant attended the meeting along with one member of the Planning and Development staff. No members of the public attended the meeting.</p>

<b><i>Field Check</i></b>	
06/18/09	<p>A field check was conducted by staff. The subject site contains a office and storage building as well as outside storage of Contractor's equipment and supplies in the rear yard.</p>

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	0.97

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Contractor's Plant, Shop and Storage Yard	MXU (Mixed Use) [Proposed: LI/R (Light Industry/ Research)]	C-1 (Limited Commercial) [Proposed: C-M (Commercial/Industrial)]
North	Multi-Family Residences	MXU (Mixed Use)	R-PD16 (Residential Planned Development – 16 Units Per Acre)
South	Multi-Family Residences	MXU (Mixed Use)	R-PD46 (Residential Planned Development – 46 Units Per Acre)
East	Mini-Storage Facility	MXU (Mixed Use)	C-1 (Limited Commercial) and R-1 (Single-Family Residential)
West	Restaurant (Approved for Mixed-Use by SDR-11707)	MXU (Mixed Use)	C-1 (Limited Commercial)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>			
West Las Vegas Plan	X		N
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>			
A-O Airport Overlay District – (140 Feet)	X		Y
<b>Trails</b>	X		Y
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## ANALYSIS

The subject site is located in the Southeast Sector of the General Plan and has a current General Plan designation of MXU (Mixed Use). This is a proposal to amend the General Plan designation to LI/R (Light Industry/Research). The Light Industry/Research category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distributions, and research, development and testing laboratories. Typical supporting and ancillary general uses are also allowed. This category may also allow mixed-use development with a residential component as a transition to less-intense uses where appropriate.

Two companion applications have been submitted to Rezone (ZON-34793) the subject property from C-1 (Limited Commercial) to C-M (Commercial/Industrial) and Site Development Plan Review (SDR-34794) to establish a Contractor's Plant, Shop and Storage Yard within an existing 4,279 square-foot office and warehouse development. The proposed zoning district is consistent within the proposed General Plan designation, and will allow the proposed use.

This request does not comply with the West Las Vegas Plan, specifically Land Use Goal 2: Plan for Future Development, which includes Issue 2.1. Issue 2.1 states that "Buffering residential areas from commercial areas became an issue as a result of a proposal to change the south side of Bonanza Road between Rancho and Martin Luther King Boulevard from various commercial uses to Light Industrial/Research (LI/R). This proposal resulted from several applications for projects in that area that allowed such a change. Community meetings were held on each project and the neighborhood expressed no opposition to the developments. Based on this information, the PDD initiated an amendment of the General Plan along Bonanza Road to LI/R. The planning team agrees with the change on the south side of Bonanza Road but was concerned with any light industrial designations extending further than the north side of Bonanza." Although the subject site is located along the north side of Bonanza Road, there is residential development located adjacent to the north side of the site, as well as an approved mixed-use project to the west of the site. Approval of this request would have a negative impact on these developments due to the intensity of uses allowed by the proposed General Plan designation.

This request to amend a portion of the Southeast Sector Plan of the General Plan from MXU (Mixed Use) to LI/R (Light Industry/Research) is not compatible with the surrounding land uses and will result in an isolated land use designation for the subject property. The range of uses permitted within a LI/R (Light Industry/Research) land use designation are much more intense than those permitted under the current land use designation and will have a negative impact on the surrounding area; therefore, staff recommends denial of this request.

## **FINDINGS**

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

- 1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**
- 2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**
- 3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**
- 4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.**

### **In regard to “1”:**

The proposed LI/R (Light Industry/Research) General Plan designation for the subject property is not compatible with the existing MXU (Mixed Use) designation that surrounds the site, due to the increase in the intensity of allowable uses.

### **In regard to “2”:**

The proposed LI/R (Light Industry/Research) General Plan designation allows C-PB (Planned Business Park), C-M (Commercial/Industrial) and M (Industrial) zoning designations which are not compatible with existing adjacent land uses or zoning districts

### **In regard to “3”:**

The site is accessed by Bonanza Road, designated as a 100-foot Primary Arterial in the Master Plan of Streets and Highways, and is adequate for the uses permitted by the proposed amendment.

**In regard to “4”:**

The proposed development does not conform to the land use goals of the West Las Vegas Plan.

**ASSEMBLY DISTRICT**      6

**SENATE DISTRICT**      4

**NOTICES MAILED**      187 by City Clerk

**APPROVALS**      0

**PROTESTS**      0